

S/N 09/655,166

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HEDRINGTON ET AL.	Examiner:	D. BECKER
Serial No.:	09/655,166	Group Art Unit:	1761
Filed:	SEPTEMBER 5, 2000	Docket No.:	1850.292USD1
Title:	METHOD FOR COOKING A PIZZA		

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on August 21, 2002.

By:

Name:

RESPONSE TO OFFICE ACTION

Box AF
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Remarks

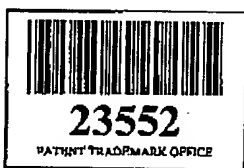
This paper is responsive to the Office Action dated March 21, 2002. Claims 22 and 23 were rejected by the Examiner for obviousness over Omarini (U.S. Patent No. 5,404,798) in light of Lang (U.S. Patent No. 5,039,535). Applicants respectfully traverse the rejection. Claims 22 and 23 are pending.

Independent claim 22 recites a method of cooking a pizza that includes the use of upper and lower housings covering only a portion of a food support member. Neither reference shows a device having a lower housing that covers only a portion of the food support member. That is, in both references the lower housings are at least as large as the food support member. In the Omarini reference, the base 15 is clearly larger than the grill 6 (see FIG. 1), overlapping all portions of the grill 6. Similarly, in the Lang device, both the top portion 34 and the bottom portion 36 are clearly as large as or larger than the cooking surface 38. By teaching at least one housing that covers the entire food support member, these prior art devices fail to achieve significant advantages of the present invention such as conservation of storage and/or counter-top space, improved access to the pizza during the cooking process, and easy removal of the pizza and food support

member from the cooker. Neither reference teaches or shows a method of cooking a pizza without the necessity for an appliance as large as the pizza itself. In other words, the present invention achieves improved results through a non-intuitive method, cooking a pizza with an appliance smaller than the pizza itself. Because neither reference teaches the use of a pizza cooker having a lower housing that covers only a portion of the food support member, independent claim 22 and dependent claim 23 cannot be obvious over the combination of these references. For at least this reason the pending claims are patentable over the Omarini and Lang references.

Furthermore, there is no suggestion in either reference to cook a pizza by heating only a portion of the pizza at a time. The Omarini reference teaches away from this. Omarini teaches that the food items such as meat or fish periodically enter and exit the heating chamber. Col. 3, lines 6-15. This suggests that the entire food item passes into and then out of the heating chamber. While Omarini does disclose other foods as being suitable for cooking in his device (breads, sauces, cheeses), Omarini does not disclose that these can be satisfactorily cooked by applying heat only to a portion of the food item. In the Lang reference, no portion of the pizza ever leaves the heating chamber. The prior art cited by the Examiner had not recognized that a pizza could be satisfactorily cooked by applying heat only to a portion of the pizza at a time.


In light of the above remarks, Applicants assert that the claims are in condition for allowance and respectfully request the same. Reexamination and reconsideration are respectfully requested. If a telephone conference would be helpful in resolving any issue, the Examiner is urged to contact the undersigned at the telephone number noted.



Respectfully submitted,

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Date: August 21, 2002


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